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Chad McKinney
Pro Se
2
6266 Madeline St Apt #61
3
San Diego, CA 92115
619-634-3566
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FILED

'08 MAR 20 PM 12: 17

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

9118 per JOS
DEPUTY

THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

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6 CHAD MCKINNEY, an individual,

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10   Plaintiff,

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14 v.

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16 APOLLO GROUP INC., UNIVERSITY OF
PHOENIX , a Corporation, MECHELLE
17 BONILLA, an Enrollment Manager at
UNIVERSITY OF PHOENIX, KYAN
18 FLYNN, Director of Enrollment at
UNIVERSITY OF PHOENIX, APRIL
19 ALCORN, an Employee Relations
Consultant at UNIVERSITY OF PHOENIX
20 CARLYN LINDSTEN, Associate Director of
Enrollment at UNIVERSITY OF PHOENIX

21

22   Defendants

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) CIV. Case No.07-cv-2373
)
) FOR VIOLATION OF FEDERAL
) FALSE CLAIMS ACT AND FOR
) VIOLATION OF THE
) THE CIVIL RIGHTS ACT 1964 AND
) THE AMENDMENTS TO TITLE
) VII OF THE CIVIL RIGHTS ACT OF
) 1991
)
)
)
) RETALIATION- WRONGFUL
) TERMINATION &
) EMPLOYENT DISCRIMINATION
) CIVIL ACTION
)
)
)
)
) **Plaintiff's Motion for Clerk's**
) **Entry of Default**
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) Demand for Trial By Jury Pursuant
) to U.S. Constitution, 7th Amendment
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) March 20, 2008
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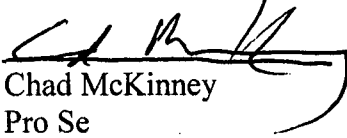## PLAINTIFF'S MOTION FOR CLERK'S ENTRY OF DEFAULT

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, and any other relevant Federal Rule of Civil Procedure pertaining to this case, plaintiff Chad McKinney, Pro Se, respectfully moves the Court to enter a default against the defendant University of Phoenix, in the amount of $250,000 since the Defendant has failed to plead or otherwise defend themselves against the plaintiff's original complaint within the timeframe required by the Federal Rules of Civil procedure. The Complaint was originally filed with the Court on December 19th 2007 and entered December 20th. The defendant was served on January 31st, 2008. (Please see copy of Return of Service).

In support of this motion, the Plaintiff states with supporting evidence:

1. This complaint was filed on December 19, 2007

2. This complaint was served on January 31, 2008

3. As of the 18th of March 2008, the Defendant is late 48 days.

4. The plaintiff's complaint requests punitive damages of $250,000, so a default judgment in this amount should be deemed reasonable.

5. Said defendant is not an infant or incompetent, but a large corporation who was given ample time to respond within the timeframe required by the Federal Rules of Civil Procedure. No extra time was requested by the defendant nor granted by the Court.

1   WHEREFORE, the Plaintiff respectfully request that this Court issue and Order a Default

2   against the Defendant in the amount of $250,000 to reasonably cover the damages incurred by

3   the plaintiff.

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5   Respectfully submitted,

6   Chad McKinney

7   Pro Se
     6266 Madeline St Apt #61
8   San Diego, CA 92115
     619-634-3566
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